

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Chapter 11

In re:

**26 BOWERY LLC and  
2 BOWERY HOLDING LLC,**

Case No.: 22-10412 (MG) and  
22-10413 (MG)  
(Jointly Administered)

Debtors.

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**ORDER AUTHORIZING RETENTION OF DE LOTTO &  
FAJARDO LLP AS LANDLORD TENANT COUNSEL  
TO THE DEBTORS EFFECTIVE AS OF JUNE 13, 2022**

UPON the application (the “Application”) of the above captioned debtors and debtors in possession herein (the “Debtors”) seeking authority under 11 U.S.C. § 327(e) to employ and retain De Lotto & Fajardo LLP (“De Lotto”) as special landlord tenant counsel to the Debtors effective as of June 13, 2022, the date upon which De Lotto first commenced providing services to the Debtors; and upon the Declaration of Lauren De Lotto sworn to on June 20, 2022; and it appearing that De Lotto neither represents nor holds an interest adverse to the Debtors or to their estates in the matters upon which it is to be engaged, that it is disinterested for purposes of 11 U.S.C. § 101(14), and that its employment is necessary and would be in the best interests of the estates, it is hereby

**ORDERED**, that the Application is granted; and it is further

**ORDERED**, that the Debtors are authorized under 11 U.S.C. § 327(e) to employ and retain De Lotto, effective as of June 13, 2022, as its special landlord tenant counsel to represent the Debtors in any landlord tenant litigation between the Debtors and its tenants or alleged tenants in New York City Housing Court, Civil Court or New York Supreme Court or any appeal from the decisions of those courts; and it is further

**ORDERED**, that prior to any increases in De Lotto's rates for any individual employed or retained by De Lotto and providing services in this case, De Lotto shall file a supplemental affidavit with the Court and provide ten business days' notice to the Debtors, the United States Trustee and any official committee. The supplemental affidavit shall explain the basis for the requested rate increases in accordance with Section 330(a)(3)(F) of the Bankruptcy Code and state whether the Debtors have consented to the rate increase. The United States Trustee retains all rights to object to any rate increase on all grounds including, but not limited to, the reasonableness standard provided for in Section 330 of the Bankruptcy Code, and the Court retains the right to review any rate increase pursuant to Section 330 of the Bankruptcy Code; and it is further

**ORDERED**, that, notwithstanding anything to the contrary in the Application, De Lotto shall not withdraw as Debtors' counsel prior to the effective date of any chapter 11 plan confirmed in this Chapter 11 case without prior approval of the Court in accordance with Local Bankruptcy Rule 2090-1(e); and it is further

**ORDERED**, that De Lotto shall be compensated for fees and reimbursed for reasonable and necessary expenses and will file interim and final fee applications for allowance of its compensation and expenses in accordance with any interim compensation order and sections 330 and 331 of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, the Amended Order Establishing Procedures for Monthly Compensation and Reimbursement of Expenses of Professionals, dated December 21, 2010, the Amended Guidelines for Fees and Disbursements for Professionals in the Southern District of New York, dated January 29, 2013, and the United States Trustee Fee Guidelines; and it is further

**ORDERED**, that De Lotto will not charge the estate for time spent preparing or reviewing its invoices or time records submitted in support of any monthly fee statements or fee applications; and it is further

**ORDERED**, that this Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

No Objection:

Office of the United States Trustee

By: /s/ Greg Zipes

**IT IS SO ORDERED.**

Dated: July 13, 2022  
New York, New York

/s/ Martin Glenn  
MARTIN GLENN  
Chief United States Bankruptcy Judge